

said cartons and wrappers did not contain 1 pound net weight but did contain a less amount; and in that it was food in package form and the quantity of contents was not plainly and conspicuously marked on the outside of the packages.

On December 15, 1938, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$10 and costs.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

29904. Misbranding of cottonseed screenings. U. S. v. John J. Culbertson, Jr., John S. LeClercq, Jr., and John J. Culbertson III (Prairie Cotton Oil Co.). Pleas of guilty. Fine, \$150 and costs. (F. & D. No. 40820. Sample Nos. 665-C, 4144-D.)

This product contained less protein and a portion contained more fiber than was declared on the label.

On June 7, 1938, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the district court an information against John J. Culbertson, Jr., John S. LeClercq, Jr., and John J. Culbertson III, trustees in a declaration of trust for the Prairie Cotton Oil Co., trading at Chickasha, Okla., alleging shipment by said defendants in violation of the Food and Drugs Act, in part on or about October 15, 1937, and in part on or about November 26, 1937, from the State of Oklahoma into the State of Kansas of quantities of cottonseed screenings that were misbranded. A portion was labeled: "43 Percent Cotton Seed Cake or Meal Prairie Cotton Oil Company." The remainder was labeled: "Army Brand Prime Quality 43% Protein Cottonseed Cake and Meal Manufactured For and Guaranteed by Louis Tobian & Company, Dallas, Texas."

The article was alleged to be misbranded in that the statements on the labels of a portion, "Protein not less than 43 per cent * * * Crude Fiber, not more than 10 per cent," and on those of the remainder, "43% Protein, * * * Crude Protein, not less than 43.00%," were false and misleading since the article contained less than 43 percent of protein and a portion contained more than 10 percent of crude fiber.

On November 14, 1938, the defendants entered pleas of guilty and the court imposed a fine of \$150 and costs.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

29905. Adulteration of butter. U. S. v. Chesapeake Creameries, Inc. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 40800. Sample Nos. 57105-C, 57106-C, 57139-C.)

This product contained less than 80 percent of milk fat.

On June 16, 1938, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Chesapeake Creameries, Inc., Baltimore, Md., alleging shipment by said defendant in violation of the Food and Drugs Act on or about October 12, 13, and 15, 1937, from the State of Maryland into the State of New York of quantities of butter that was adulterated.

The article was alleged to be adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent by weight of milk fat, as prescribed by act of March 4, 1923.

On December 15, 1938, the defendant having entered a plea of guilty, the court imposed a fine of \$10 and costs.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

29906. Adulteration of butter. U. S. v. Jesse G. Nichols and Burton F. Bentley (Gilt Edge Creamery). Pleas of guilty. Fine, \$25 and costs. (F. & D. No. 42542. Sample No. 8519-D.)

This product contained less than 80 percent of milk fat.

On December 6, 1938, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Jesse G. Nichols and Burton F. Bentley, copartners, trading as the Gilt Edge Creamery at Plainfield, Iowa, alleging shipment by said defendants in violation of the Food and Drugs Act, on or about March 13, 1938, from the State of Iowa into the State of Illinois, of a quantity of butter which was adulterated.

The article was alleged to be adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for